

STEVEN H. GURNEE, ESQ. SB# 66056  
JOHN A. MASON, ESQ.  
GURNEE & DANIELS LLP  
2240 Douglas Boulevard, Suite 150  
Roseville, CA 95661-3805  
Telephone (916) 797-3100  
Facsimile (916) 797-3131

Attorneys for Defendants

SERVICE CORPORATION INTERNATIONAL,  
SCI FUNERAL AND CEMETERY PURCHASING  
COOPERATIVE, INC., SCI EASTERN MARKET  
SUPPORT CENTER, L.P. SCI WESTERN MARKET  
SUPPORT CENTER, L.P., SCI HOUSTON MARKET  
SUPPORT CENTER, L.P., JANE D. JONES,  
GWEN PETTEWAY, THOMAS RYAN, CURTIS BRIGGS,  
ALDERWOODS GROUP, INC., and PAUL HOUSTON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CLAUDE BRYANT, et al., on behalf of ) **CASE NO. 3:08-CV-01190 SI**  
themselves and all other employees and former ) **CASE NO. 3:08-CV-01184 SI**  
employees similarly situated, )  
) **STIPULATION TO FILE DOCUMENT**  
) **UNDER SEAL; [PROPOSED] ORDER**

Plaintiffs,

vs.

SERVICE CORPORATION  
INTERNATIONAL et al.

Defendants.

\_\_\_\_\_  
WILLIAM HELM, DEBORAH PRISE,  
HEATHER P. RADY, et al., on behalf of  
themselves and all other employees and former  
employees similarly situated,

Plaintiffs,

vs.

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER  
Case No.: 3:08-CV-01190 SI;  
Case No.: 3:08-CV-01184 SI

ALDERWOODS GROUP, INC., PAUL A.  
HOUSTON, SERVICE CORPORATION  
INTERNATIONAL, SCI FUNERAL AND  
CEMETERY PURCHASING  
COOPERATIVE, INC., SCI EASTERN  
MARKET SUPPORT CENTER, L.P., SCI  
WESTERN MARKET SUPPORT CENTER,  
L.P., a/k/a SCI WESTERN MARKET  
SUPPORT CENTER, INC., and SCI  
HOUSTON MARKET SUPPORT CENTER,  
L.P.  
Defendants.

# STIPULATION

Previously, Plaintiffs and Defendants agreed to, and the Court entered, a Stipulated Protective Order Pursuant to Fed. R. Civ. P. 26(C). (*Bryant* Docket No. 112; *Helm* Docket No. 124). That Protective Order, *inter alia*, set out a procedure permitting parties to designate certain discovery materials "CONFIDENTIAL." In response to discovery demands in this case, Defendants have designated certain documents "CONFIDENTIAL" pursuant to the Protective Order, and Plaintiffs have not currently challenged some of those designations.

Pursuant to Civil Local Rules 79-5 and 7-12, Plaintiffs and Defendants in these matters, through their undersigned counsel, hereby stipulate that in submitting Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL":

1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"
2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER  
Case No.: 3:08-CV-01190 SI;  
Case No.: 3:08-CV-01184 SI

1 Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes  
2 from materials Defendants have designated as "CONFIDENTIAL"

3  
4 **AGREED TO:**

5 /s/Annette Gifford

6 Annette Gifford  
7 Thomas & Solomon LLP  
8 693 East Avenue  
Rochester, New York 14607  
Telephone: (585) 272-0540

9 Attorneys for Plaintiffs

/s/Nicholas P. Forestiere

Nicholas P. Forestiere  
Gurnee & Daniels LLP  
2240 Douglas Blvd., Suite 150  
Roseville, CA 95661  
Telephone: (916) 797-3100

Attorneys for Defendants

10  
11 **ORDER**

12 Pursuant to the Stipulation of counsel and good cause appearing, the Court hereby orders that, in submitting  
13 Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the  
14 Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants:

- 15 1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI  
16 Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis  
17 Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and  
18 FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as  
19 "CONFIDENTIAL"
- 20 2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated  
21 Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial  
22 Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for  
23 Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes  
24 from materials Defendants have designated as "CONFIDENTIAL"

25 **IT IS SO ORDERED:**

26 

27 Honorable Susan Illston  
United States District Court

28 **STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER**  
Case No.: 3:08-CV-01190 SI;  
Case No.: 3:08-CV-01184 SI